



1998 GENERAL ELECTION
TUESDAY, NOVEMBER 3

8 CHARTER AMENDMENTS

Proposed by the
Charter Commission
City and County of Honolulu



The following proposals to amend the Charter of the City and County of Honolulu are being submitted to the people to be voted upon on Tuesday, November 3, 1998, General Election Day.

The purpose of this brochure is to explain the proposed amendments, what the present situation is and what the proposed change will accomplish.

For the purposes of this publication only new language is italicized and language that will be deleted is bracketed.

Proposed Amendment No. 1

MERGER OF PLANNING DEPARTMENT

Question: In the interest of streamlining government operations, should the Department of Planning and the Department of Planning and Permitting be combined into just one department and the positions of director and deputy director be eliminated and replaced with just one second deputy position?

Ballot Wording: COMBINE THE DEPARTMENT OF PLANNING AND THE DEPARTMENT OF PLANNING AND PERMITTING INTO ONE DEPARTMENT.

Digest: Many of the powers, duties and functions of the Planning Department overlap with those of the Department of Planning and Permitting. This amendment combines the departments in order to streamline the City's land use planning and permitting processes.

Rationale: The overlapping functions of the two departments have resulted in a complicated and redundant set of land use procedures and a system which has resulted in lengthy processing times. This amendment combines the two departments into one department in order to streamline the land use planning and permitting processes by using new multi-disciplinary staff to provide comprehensive input, improve efficiency, consolidate duplicative and related functions, and to provide consistency with respect to planning, policies and project review. Combining the two departments will provide close coordination of land use policies and their implementation through the zoning and permit approval processes, while continuing long-range planning functions and responsibilities.

Present: The Department of Planning and the Department of Planning and Permitting are separate departments, but have many overlapping duties, functions and responsibilities. With two separate departments the public must go through a complicated and time-consuming land use process.

If proposal passes:

- Department of Planning would be combined with the Department of Planning and Permitting into just one department.
- The powers, duties and functions of both departments would be combined into one department in the interests of streamlining government operations, improving customer service and eliminating overlapping responsibilities.
- The positions of director and deputy director of the Department of Planning will be eliminated and replaced with just one second deputy position.

Charter Language: New language is italicized and deleted language is bracketed.

I. Article IV, Chapter 1, of the Revised Charter of the City and County of Honolulu 1973, as amended, is hereby amended to read as follows:

► Section 4-102. Organization of the Executive Branch

The [departments] department of [planning,] the corporation counsel and department of the budget shall report directly to the mayor.

All other executive departments and agencies of the city, excepting the mayor's office staff, the office of information and complaint, the board of water supply and any other semi-autonomous agency, shall be organized as provided in this charter or by ordinance and shall be supervised by and report directly to the managing director as principal administrative aide to the mayor.

Each executive department shall be headed by a single executive, except if otherwise provided by this charter.

► Section 4-104. Appointment, Confirmation and Removal of Officers and Employees

1. All department heads and the managing director, as provided in Sections 5-201, 5-301, [5-402,] 6-101, 6-103, 6-104, 6-106, 6-201, 6-305, 6-401, 6-701, 6-801, 6-902, 6-1002, 6-1101, 6-1201, 6-1301, 6-1401, 6-1501, 6-1601, and 17-101, shall be nominated and, by and with the advice and consent of the council, appointed and may be removed by the mayor, except as otherwise provided by this charter. Department heads shall be duly registered voters of the city and qualifications of department heads shall be as required by this charter.
2. When the position of head of an executive agency becomes vacant and the mayor is the appointing authority, the mayor may temporarily fill the vacancy by granting a commission allowing the nominee to fulfill the responsibilities of the position. The

commission shall begin when the mayor submits to the council a request for confirmation. The commission shall expire when the council makes the confirmation decision. If the nominee fails to be confirmed by the council, the nominee shall not be eligible for another interim appointment to the same office.

3. Department heads may appoint the necessary staff for which appropriations have been made by the council.
4. No appointing authority shall appoint any person to any office or position exempted from civil service until satisfied by proper investigation that the person to be appointed is fully qualified by experience and ability to perform the duties of the person's office or position.

II. Article V, Chapter 4, of the Revised Charter of the City and County of Honolulu 1973, as amended, is hereby repealed.

III. Article VI, Chapter 9, of the Revised Charter of the City and County of Honolulu 1973, as amended, is hereby further amended to read as follows:

CHAPTER 9 DEPARTMENT OF [LAND UTILIZATION] PLANNING AND PERMITTING

► Section 6-901. Organization

There shall be a department of [land utilization] *planning and permitting* which shall consist of [land utilization,] *planning and permitting, a planning commission, a zoning board of appeals and the necessary staff.* The director of [land utilization] *planning and permitting* shall be the administrative head of the department of [land utilization] *planning and permitting.*

► Section 6-902. Director of [Land Utilization] Planning and Permitting

The director of [land utilization] *planning and permitting* shall be appointed and may be removed by the mayor. The director of [land utilization] *planning and permitting* shall have had a minimum of five years in training and experience in a responsible planning position, at least three years of which shall have been in a responsible administrative capacity in charge of major land utilization activities.

► Section 6-903. Powers, Duties and Functions

The director of [land utilization] *planning and permitting* shall:

- (a) Prepare a general plan and development plans, and revisions thereof, for the improvement and development of the city.
- (b) Establish procedures for adopting and revising the general plan and development plans and amending state land use district boundaries. The director's procedures shall include provisions for the processing of any proposed revision to the general plan or development plans which is submitted with the prescribed level of supporting documentation, regardless of whether the proposal is supported by the director or the council. However, a proposal lacking such support shall be processed as an "unendorsed proposal" under the provisions of this chapter.
- (c) Review the executive operating and capital program and budget for conformance to the purposes of the general and development plans and make a written report of findings to the council within thirty days after receipt of such program and budget.
- (d) Prepare and submit to the council on at least a biennial basis a report on the condition of the city in terms of the general plan and development plans. In addition, the director shall prepare and submit to the council an annual report on the current status of land use and other data pertaining to the development plans.
- (e) Undertake studies and prepare plans for special planning areas and issues.
- (f) Perform other functions that will promote comprehensive planning, public participation and an efficient planning process.
- [a]/g/ Prepare zoning ordinances, maps and rules and regulations and any amendments thereto.
- [b]/h/ Prepare the land subdivision code and rules and regulations and any amendments thereto.

1998 pamphlet
(excerpt)